

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JIM MOCK, et al.

Plaintiffs,

v.

CHANDELEUR HOMES, INC., et al.

Defendants.

*
*
*
* **Case Number: 2:06-cv-00395-MHT**
*
*
*
*
*
*

RULE 56(F) AFFIDAVIT OF C. GIBSON VANCE

I, C. Gibson Vance, counsel for Plaintiffs, after being duly sworn, state that,

1. I am over the age of nineteen (19) years and reside in Montgomery County, Alabama.
2. I am employed with the firm of Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. and am in charge of drafting the pleadings in the above styled action and obtaining the necessary information to respond to Defendant Champion Enterprises, Inc.'s Motion to Dismiss, or, In Alternative, Motion for Summary Judgment.
3. I have reviewed Champion Enterprises, Inc.'s Motion to Dismiss or, In Alternative, Motion for Summary Judgment. I cannot adequately refute the specific claims made in the motion without discovery.
4. There has been no discovery conducted in this case, as this case has only recently been filed and removed.
5. Written discovery, as well as certain depositions, are necessary in order for the Plaintiffs to adequately respond to Champion Enterprise, Inc.'s Motion to Dismiss or, In Alternative, Motion for Summary Judgment.



C. Gibson Vance

STATE OF ALABAMA

§

§

MONTGOMERY COUNTY

§

BEFORE ME, the undersigned authority, a notary public in and for said State and County, personally appeared C. Gibson Vance, who first being first sworn by me, deposes and says that he has read the foregoing instrument, or has had read to him, and says that he did voluntarily sign the same and authorizes its filing with the Court.

SWORN TO AND SUBSRIBED on this the 2nd day of June, 2006.

Heidi Bowes

NOTARY PUBLIC

Commission Expires: 1-16-08